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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/642,492
Filing Date	August 18, 2000
First Named Inventor	Gary VAN NEST, et al.
Group Art Unit	1648
Examiner Name	S Foley
Total Number Of Pages In This Submission	3
Attorney Docket No.	377882000800

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations (6 pages)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication to Examiner; Return Receipt Postcard.
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)___	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
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25225

PATENT TRADEMARK OFFICE

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Karen R. Zachow, Registration No. 46,332 Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500 San Diego, CA 92130
Signature	<i>Karen R. Zachow</i>
Date	March 6, 2003

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on March 6, 2003.

Rhea Amid
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PATENT
Docket No. 377882000800

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Rhea Amid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Gary VAN NEST et al.

Serial No.: 09/642,492

Filing Date: August 18, 2000

For: METHODS OF MODULATING AN
IMMUNE RESPONSE USING
IMMUNOSTIMULATORY
SEQUENCES AND COMPOSITIONS
FOR USE THEREIN

Examiner: S. Foley

Group Art Unit: 1648

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COMMUNICATION TO EXAMINER

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Interview Summary mailed February 24, 2003 in connection with the above-identified patent application. As box i on the Interview Summary was unchecked, Applicants are required to file a statement of substance of the interview. Since a response to the last Office Action was filed prior to the mailing of Interview Summary, Applicants are herein providing the required statement.

During the telephonic interview on January 17, 2003, Examiners Foley and Housel and undersigned Applicants' representative discussed the cited references (Schwartz and Carson) in

view of proposed claim language that the second antigen is not proximately associated with the complex comprising an immunomodulatory polynucleotide and first antigen. Proposed claim language was also discussed with regard to clarifying the claimed invention. All the claims were discussed and no agreement was reached with respect to the claims.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 377882000800. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: March 6, 2003

By: Karen R. Zachow
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